EXPLANATION OF

33

فروع الفقه

Ibn al-Mibrad

Shaykh Ahmad Musā Jibrīl

May Allāh (سبحانه وتعالى) ease the affairs of the Shaykh, preserve him, love him, and safeguard him from all harm. May He (سبحانه وتعالى) keep him sincere, and continue to shower his life and Da'wah with His blessings, and allow the Muslims to benefit from his da'wah until the Day of Judgement. May Allāh make all his efforts weigh heavy on his scales, and make it an immense Sadaqah Jāriyah for him, his parents, and his family. May Allāh facilitate the completion of this Sharh and shower him with His aid always and forever.

SH_AHMAD_JIBRIL

SH_AHMAD_JIBRIL

T.ME/AHMAD_MUSA_JIBRIL

SHAYKH AHMAD MUSĀ JIBRĪL

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بسم الله الرحمن الرحيم

الحمد لله رب العالمين، والعاقبة للمتقين، والصلاة والسلام على عبده ورسوله وخليله وصفوته من خلقه، نبينا وإمامنا وسيدنا محمد، وعلى آله واصحابه ومن سلك سبيله واهتدى بهداه الى يوم الدين، اما بعد:

Recap

We're on the nullifiers of Wudū' and the author رحمه الله تعالى said,

والنواقض في الطهارة الصغرى ثمانية

There are eight nullifiers of Wudū':

1. الخارج من السبيلين, anything exiting from the two private parts.
2. The second one is والفاحش من غيرهما, what exits from other than the two private parts that's repulsive.
3. The third one is the one pertaining to sleep, وزوال العقل بغير نوم يسير جالسا أو قائما.
4. The fourth and fifth one are ومس الفرج والمرأة لشهوة, touching the private parts,
5. and a woman with desire (والمرأة لشهوة).
6. The sixth one is وأكل لحم الإبل, eating the meat of the camel.
7. The seventh nullifier of Wudū' is والردة, apostasy.

8. Then, there's the eighth nullifier of Wudū', and we said that the author said there's eight nullifiers of Wudū', but when he went to detail them, he did not detail the eighth one, and that is washing the deceased. And we talked about why and the details pertaining to that and we said it's among Mufradāt Al-Madhhab Al-Hanbali and that it's not a nullifier because there's no authentic clear proof to indicate so.

After those eight nullifiers, we went beyond that to take additional nullifiers, because we're teaching the book, this Hanbali book, according to the four Madhāhib.

9. The next nullifier that some Ulamā' mention or some Madhāhib mention is القهقهة في الصلاة, laughing in Salāh, and we said that's not a nullifier because there's no clear proof on it being so.
10. The tenth nullifier is الوضوء بالشك, Wudū' when in doubt, and that's what we finished off last week.

We took the details pertaining to that Mas'alah and we concluded the rule is

مَن تيقَّن الطَّهارة وشكَّ في الحدث فهو متطهر

Whoever is on Yaqīn (certainty) that he's on Tahārah (on purification, on Wudū') but then doubts whether he negated his Wudū' or not, he is on Tahārah, he is on Wudū'.

مَن تيقَّن الطَّهارة وشكَّ في الحدث فهو متطهر ومَن تيقَّن الحدثَ وشكَّ في الطَّهارة فهو مُحدِث

The opposite. Whoever is on Yaqīn that he is not on Wudū', but he doubts that he may have made Wudū', he's not on Wudū'. Al-Māwardi, Ibn Hazm, Ibn Qudāmah, An-Nawawi, and others mentioned an Ijmā' on that. That was the rule for that Fiqh Mas'alah, taken from the Fiqh principle اليقين لا يزول بالشك, whatever is established by Yaqīn, by certainty, is not removed by doubt.

Now I said in the last class that there are some follow-up issues. You're on Wudū' by certainty, by Yaqīn. You're waiting for Salāh or you're in Salāh, then you doubt whether you nullified Wudū'. We've established and agreed on the fact that that person is on Wudū'. Doubts don't remove certainty. Up to here we took that. What if I say, "Let me get out of this doubt and just go ahead and renew my Wudū'"? Is it better to say, "Let me be safer and go make Wudū' and come back"? Or is it better to remain waiting for the Salāh or stay in Salāh and kick the whispers and Waswasa of the Shaytān out of your mind? The answer to that is that the Sunnah — and the Wara' is in the Sunnah — the Sunnah and the Wara' is *not* to go renew your Wudū', and I'll give some reasons for that.

First of all, the Sunnah, the Wara', is not to renew the Wudū' based on the doubts. The Sunnah, the Wara', is to do what the Messenger ﷺ suggested in that specific matter. What did he order, ﷺ? He ordered not to leave Salāh unless you hear something or smell something. The Sunnah is not to renew the Wudū' and say it's safer,

because it's disobedience to what the Messenger ﷺ ordered. The safer route, the correct route, is always in submission to Allah سبحانه وتعالى and His Messenger ﷺ.

لاَ يَنْصَرِفْ حَتَّى يَسْمَعَ صَوْتًا أَوْ يَجِدَ رِيحًا

Another reason, in addition to that not being in accordance with the advice of the Messenger ﷺ — and the Messenger ﷺ doesn't speak or give advice in vain. When one does Wudū' from doubts like that, that we mentioned, it has ramifications, aside from not following the Sunnah. Wudū' in such scenarios is a major cause of Waswasa. Not renewing the Wudū' in such specific scenarios that we mentioned is among the best cures to killing Waswasa in such matters. The Hadīth is a principle on curing the disease of Waswasa. Going against the Hadīth and renewing the Wudū' is how Waswasa at times starts, and that Waswasa will gradually increase and will put one in distress and make him dislike the 'Ibādah or feel it's difficult or burdensome or uncomfortable, and those inflicted with Waswasa will tell you how difficult it is.

Another reason, a third reason, is that these doubts are usually from the Shaytān. The Shaytān follows one to ruin and disrupt his 'Ibādāt. He tries to stop one from making Salāh. He tries to get one to ignore the Adhān and Iqāmah. He tries to put doubts in one's mind before Salāh. When the Shaytān fails in that, he tries to get him to doubt whether he said Allāhu Akbar or the Niyyah or matters pertaining to the beginning of the Salāh. Then the Sadith in Sahīh Al-Bukhāri and Muslim states that when one stands up for Salāh, the Shaytān goes to him to confuse him and cause him doubts in the number of Rak'āt. Among the last attempts that the Shaytān tries to do is to destroy one's Salāh by making him doubt his Wudū' during Salāh. So the Messenger ﷺ

gave us the pre-emptive solution to that, so no one will fall into the traps of the Waswasa of the Shaytān, and the solution is to turn away from the doubts. You don't give in to the doubt by renewing Wudū' in such scenarios unless, of course, one is certain that they nullified the Wudū'. When one follows that rule consistently, they'll see that by the will of Allah, it's a cure to the Waswasa in such scenarios. Once one gives in and renews the Wudū', Waswasa will intensify until one can no longer bear it. The Hadīth says حَتَّى يَسْمَعَ صَوْتًا أَوْ يَجِدَ رِيحًا. So when one is in doubt, he kills it by ignoring the doubt. You don't yield and give way to the Shaytān by giving in to the doubt.

Another issue pertaining to this. The Hadīth says حَتَّى يَسْمَعَ صَوْتًا أَوْ يَجِدَ رِيحًا. One shouldn't leave the Salāh unless he smells something or hears something. Okay, let's assume someone is deaf. Let's assume someone has a cold and stuffy nose and he can't smell. Or let's assume someone has a temporary or permanent loss of smell — some people do have that. The Hadīth, حَتَّى يَسْمَعَ صَوْتًا أَوْ يَجِدَ رِيحًا, you don't leave the Salāh unless you hear something or you smell something, pay attention to the specific wording of the Hadīth. If you're in Salāh and you doubt you nullified the Wudū' by discharge of wind, the Hadīth says you don't leave the Salāh unless you smell something or hear something. The person can't smell or hear for any of the various reasons. What do we do? The Hadīth here is talking about the solution for this problem the majority of the times. Most will hear or smell something, that's the overall rule. But if one is at full Yaqīn that he discharged wind, but didn't hear or smell it — he's on Yaqīn (certainty) he nullified his Wudū', he'll give an oath by Allah that he nullified it, but he didn't hear or smell something. He's deaf, he didn't hear, he has a stuffy nose, he couldn't smell, or he is healthy but he didn't hear or smell anything, but he's on full Yaqīn, full certainty, that he nullified the Wudū' by the discharge of wind? The answer is

his Wudū' is nullified. The Salāh must be broken if he's in Salāh and he needs to go perform Wudū'. If he's waiting for Salāh, he needs to go renew his Wudū'. Why? Because this is no longer doubts, this is *Yaqīn* that he nullified the Wudū'. When one has the knowledge to the level of Yaqīn, to the level of certainty, that he discharged wind, there's no need for the stipulation of smelling or hearing. What is it for then? The Messenger ﷺ set hearing and smelling as sign for one who is in doubt not one who is on Yaqīn that he nullified his Wudū'. In a two line summary, if one is sure to the level of Yaqīn, certainty, to where he can give an oath that he nullified his Wudū', he needs to go an renew his Wudū', even if he didn't hear or smell anything. Abdullāh Ibn Al-Mubarāk said إذا شك في الحدث فإنه لا يجب عليه الوضوء حتى يستيقن استيقانًا يقدر أن يحلف عليه. Ibn Al-Mubārak said, "If one doubts he nullified his Wudū', then he doesn't have to make Wudū' unless he has Yaqīn, certainty, that he nullified the Wudū' to the point that he can give an oath on it." An-Nawawi, in Sharh Muslim, said that one shouldn't leave the Salāh unless he hears or smells something — like the Hadīth, he was explaining that Hadīth. He said the Hadīth, the purpose of that Hadīth, is to teach us that Wudū' is nullified only by certainty. And he said it's not just by hearing or smelling the discharge of wind, but rather when one is certain in any way that he nullified Wudū', then it's considered nullified, and he said that is by the Ijma' of the Muslimeen. Meaning the hearing and smelling are like examples or signs to indicate certainty. Ibn Hajr, Abu Yahyā Al-Shāfi'ī, Al-Khattāb, and others held the same view as an-Nawawi, that certainty that one nullified his Wudū' by discharge of wind means he nullified it even if he didn't hear or smell something. And the reason I mention this is because some, including one of my teachers — former teachers — Muhammad Ibn Muhammad Al-Mukhtār Ash-Shanqīti, the younger one who I mentioned in the past was my teacher and my father's classmate and he's now one of Hay'at Kibār Al-Ulamā' in the Arabian Peninsula — he adopted the

view that one must hear or smell something for his Wudū' to be nullified or void. In a response to a question he was asked about this specific issue, he was asked if one is certain or positive that he discharged wind but didn't hear or smell anything, is his Wudū' nullified? And his answer was how can it be possible without hearing or smelling something? He said that's from the Shaytān. If you hear or smell something, then the Wudū' is nullified, otherwise it's not a nullifier. That's according to him. We established that if someone is certain and sure he nullified Wudū', discharged wind to the point where he can give an oath like Ibn Al-Mubarāk said, but didn't hear or smell something, his Wudū' is nullified. Because as An-Nawawi and others stated, it's not limited to hearing or smelling only. Hearing and smelling were only to indicate certainty of the wind being discharged. This concludes the tenth nullifier of Wudū'. And we'll continue inshā'Allāh next week. JazakumAllāhu Khayrā.

وصلى الله على سيدنا محمد وعلى آله وصحبه وسلم